

# The CIO: from reform to reaction



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The story of the Congress of Industrial Organizations (CIO) has generally been seen by American leftists as one of glorious struggle, as that of a revolutionary movement that might have been. By and large, liberal historians have celebrated the CIO as the harbinger of enlightened labor relations. Most radicals, while decrying this modernized form of exploitation, have glossed over important aspects of the history that conflict with their political analyses and hopes. Would-be organizers of various persuasions have been quick to blame CIO leaders for its decline in militance. Social democrats have either claimed the CIO as an evolutionary advance toward socialism or bemoaned its failure to develop independent political action along the lines of European labor parties. While Trotskyists have accused the Communist Party (CP) of destroying radical initiative in the CIO, other Leninists have deplored the CP's adherence to the Soviet line, which they think dampened militance during the war and hampered the trade-union work of dedicated Communist organizers. Unable to deny the CIO's failures as a revolutionary movement, some New Left historians have turned from an examination of its objective record in action (which after all was determined by elites) to focus on the more encouraging subjective aspects of the rank and file. Debates over when the CIO lost its revolutionary potential have alternated with applause for "labor's giant step" to trade-union consciousness, but the ideology of revolutionary unionism has remained unscathed. Indicating the resilience of American capitalism despite the severe crisis conditions of the 1930's and 1940's, significant numbers of workers never consciously experienced nor surpassed the constraints of unions on their movement. Perhaps because of this, most American leftists have not considered the contradictions inherent in revolutionary unionism, and the critique of this concept (elaborated by Luxemburg, Rühle, Pannekoek et al. in the context of the social upheavals following the first world war) has remained unknown. The following interpretation applies this critique of unionism to the history of the American labor movement's response to the last world crisis in the hope that, by objectively analyzing this disappointing history, we might anticipate the role of unions in the current depression and more surely direct our efforts to break capital-labor relations and create a classless society. 1

## THE GREAT DEPRESSION



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# THE GREAT DEPRESSION

Since the CIO emerged in response to protracted depression conditions, the failure of previous political combinations to solve the Great Depression to their advantage should be examined not only to situate the CIO in its historical context, but also to provide a basis for comparison with the futile attempts of capitalists, governments, unions, et al. to halt the present economic decline. By 1933, after a decade of defensive decline, the American Federation of Labor (AFL) had lost most of its money and much of its membership, which had fallen by half to include only 5.2% of the total (or 11.3% of the nonfarm) workforce.<sup>2</sup>

The AFL faced the depression with resignation and no effective strategy as its monopoly on skilled labor-power was undermined by rising unemployment, which left 24.9% of workers jobless and most union members without regular work.<sup>3</sup> Despite its traditional opposition to government interference, a policy that matched pre-depression production relations and the laissez-faire ideology of the bourgeoisie, the AFL did go so far in early 1933 as to support a Congressional thirty-hours bill, which aimed to spread employment by reducing the workweek and wages. Since this bill was vehemently opposed by business and vetoed by President Franklin D. Roosevelt (FDR), Secretary of Labor Frances Perkins proposed a compromise plan that called for a 35-hour week, a minimum wage, and a relaxation of the antitrust laws to permit trade association agreements. The AFL, however, rejected her plan on the grounds that the minimum wage would tend to become the maximum. Fearing that minimum-wage and social-insurance legislation might rival the benefits offered organized workers under existing contracts, the AFL was to continue to withhold its support from such protective legislation throughout the decade.

The AFL's passive strategy was opposed by the leaders of the industrial unions, whose territories in the highly competitive textile and coal mining industries had been threatened by a harbinger slump during the "prosperity decade" of the twenties. Sidney Hillman of the Amalgamated Clothing Workers (ACW) and John L. Lewis of the United Mine Workers (UMW) were early advocates of state intervention to save the economy, particularly through the promotion of unionization, which the depression was threatening with extinction. Owing his success to the ACW's spectacular growth during the first world war (under the protection of the War Labor Board's collective bargaining policy in the Army-

uniform business), Hillman championed national economic planning as the solution to this equally serious national emergency. He urged the government to intervene through tripartite (i.e., business-union-government) planning councils, before private industry's ineptitude allowed misery to create forces out of political control. He envisioned these councils extending on a national scale social-insurance programs pioneered by the ACW in the 1920's, which had included payroll deductions for unemployment insurance, guaranteed savings banks and housing, work sharing, minimum wage rates, and even loans to floundering firms.<sup>4</sup>

Not only labor statesmen had experienced the efficacy of unions in equalizing wages in the highly competitive, over-extended industries. As employers' trade associations failed to guarantee profits by regulating wages and production, some capitalists began to reconsider unionization. Gabriel Kolko describes the change in attitude of some Northern bituminous coal operators:<sup>5</sup>

Only the UMW, which both the association members and independent coal operators tended to unite to oppose, advocated the use of public authority to introduce order in an industry which invariably sought first to solve its problems by wage cuts, thereby decimating the union. By the time the Depression brought yet new disasters, many industry leaders and larger firms acknowledged the failure of voluntary trade association efforts and were increasingly prepared to impose stability and cooperation on the unprofitable, competitive industry. Indeed, in such industries only unions provided the remaining nonpolitical hope for coordinating and restraining competitive conditions on a national scale, a fact that won the

employers associations to the union cause in garments before the war and was eventually to influence labor relations in coal and many other industries.

Whereas industries with high capital concentrations could rely on trusts and oligopolistic leaders to police their agreements to reduce costly competition, smaller capitalists often turned to outside organizations--such as rackets, unions, and governments--as the most effective means of enforcing regulation beneficial to the trade's more powerful firms.<sup>6</sup> When successful, these regulating agents reduced competition in fields of easy capital entry by exacting tribute in the form of protection premiums, union dues, or taxes. But the inroads of runaway shops and new mines during the 1920's, followed by the depression, so weakened the hegemony of the textile and mining unions that they needed government backing

to eliminate “sweating” and shake down firms that wouldn’t see reason.

Since before the first world war, Northern textile manufacturers had augmented their economic attack on the cheap labor supply of their Southern competitors by seeking legislation to establish a national minimum wage, prohibit child labor and women’s nightwork, and promote unionization. In the depths of the depression they found political support in the recovery proposals of former members of the War Industries Board--Bernard Baruch, General Hugh Johnson, and Gerard Swope. U.S. Chamber of Commerce President Henry Harriman’s voice mingled with these Northern liberals’ lament over the disruptive effects of “uneconomic competition” in his call for the suspension of the Sherman and Clayton Anti-Trust Acts, which, to the annoyance of big business, had been enacted in a futile attempt by small capitalists to halt the advancing concentration of capital that threatened to expropriate them. While Harriman and Swope urged business to take the initiative in stabilizing production to avoid government interference, Swope’s plan included employee and possible union participation. Fondly recalling the “efficiency” of their economic planning during the war, when former antagonists were encouraged to join hands to share the spoils, Baruch and Johnson implied that a return to the good old days would follow the formation of “trade associations for mutual help” and business’ self-regulation under government supervision.<sup>7</sup>

The blatant lack of profits to share, however, did not escape some of FDR’s advisors and various labor sympathizers, who, on the basis of an underconsumption theory of crisis, called for government intervention to halt the downward spiral of prices, wages, and production. In addition to relief measures and public work programs, they supported unionization as a means to boost consumption and the production it would engender. The powers behind these various strains of thought combined under the New Deal to produce the National Industrial Recovery Act (NIRA), which in June 1933 replaced ex-President Hoover’s inadequate voluntary schemes with six hundred industry-wide “Codes of Fair Competition.” Trade association agreements would now be legally enforced by FDR’s National Recovery Administration (NRA), directed by General Johnson.

Lobbied for by Lewis, Hillman, and Senator Robert F. Wagner, the NIRA included a

“Section 7a,” which outlawed yellow-dog contracts (i.e., promises not to join a

union as a condition of employment), provided “that employees shall have the right to organize and bargain collectively through representatives of their own choosing,” and gave the President power through the NRA to prescribe maximum hours, minimum pay, and working conditions. With this legislation the New Deal’s mutually antagonistic coalition of big business, smaller capitalists, farmers, and unions, while groping for a solution to the crises, took its first faltering step toward managing the social unrest. Blindly seeking to restore a profitable basis for further capital accumulation, they were stymied by the political power of economically weaker capitals, who resisted the expropriation essential for national recovery.

Their mutual struggle to shift the burden of loss onto others exemplified Marx's description of the depression’s healing process:<sup>8</sup>

So long as things go well, competition effects an operating fraternity of the capitalist class, as we have seen in the case of the equalization of the general rate of profit, so that each shares in the common loot in proportion to the size of his respective investment. But as soon as it no longer is a question of sharing profits, but of sharing losses, everyone tries to reduce his own share to a minimum and to shove it off upon another. The class, as such, must inevitably lose.

How much the individual capitalist must bear of the loss, i.e., to what extent he must share in it at all, is decided by strength and cunning, and competition then becomes a fight among hostile brothers. The antagonism between each individual capitalist’s interests and those of the capitalist class as a whole, then comes to the surface, just as previously the identity of these interests operated in practice through competition.

How is this conflict settled and the conditions restored which correspond to the “sound”

operation of capitalist production? The mode of settlement is already indicated in the very emergence of the conflict whose settlement is under discussion. It implies the withdrawal and even the partial destruction of capital.

Although the NIRA soon proved inadequate, the New Deal was able to hold the economy together until the second world war externalized the competitive struggle and the American victory temporarily solved the nation’s economic problems, thus allowing the liberal, Keynesian explanation of the New Deal’s

success some false advertising.9



# THE NIRA PERIOD

As industry counted on the President and the courts to favor capital in their interpretations of the law's ambiguities, the NIRA soon ran upon the rocks of resistance hit by previous attempts at voluntary regulation. Even in those industries where unions had the support of stronger firms, their efforts to force recalcitrants to terms through strikes and boycotts were hampered by the lack of government backing. Nonetheless, massive organizing drives in coal mining and textiles managed to have increased wage minimums incorporated into the NRA codes for their industries. Another temporary triumph for the unions grew out of a dressmakers' strike in Reading, Pennsylvania. The FDR-appointed National Labor Board (NLB) (precursor of the National Labor Relations Board [NLRB]) in July 1933 settled the strike with the "Reading Formula," an interpretation of Section 7a that provided for majority-rule, secret-ballot elections of exclusive agents to represent a group of workers ambiguously known as a bargaining unit (an ambiguity that would later be ironed out by the NLRB).

Southern sweatshops, however, evaded NRA code provisions with the "Stretchout" (i.e., labor intensification) blatantly ignored Section 7a by firing union members, and refused to hold Reading Formula elections.

Rather than oppose unionization outright, most mass-production manufacturers, who regarded unions as unnecessary expenses and threats to their absolute control of production, expanded their "employee representation plans" developed in the 1920's or established new company unions, which by the end of the NIRA period gained three times more members than the AFL unions did.<sup>10</sup> In September 1933, miners challenged the company unions in the

"captive" mines (owned by steel corporations) with a strike for UMW recognition despite Lewis' efforts to restrain them while he negotiated the NRA code with the less resistant, smaller operators of the "commercial" mines. By late October, after withstanding considerable violence, the 100,000 strikers compelled FDR to enforce their NIRA given right to form independent unions. Several giant electrical concerns also accepted union advances when persuaded by strikes, as Philco, or by economic reason, as was General Electric (GE) President Gerard Swope, who since 1926 had sought an industrial "organization with which

we could work on a businesslike basis.”<sup>11</sup> Irving Bernstein’s description of the settlement won by a nascent AFL union reveals an attempt by the largest radio manufacturer to use the union to reduce labor disruption and equalize labor costs with its competitors:<sup>12</sup>

To the fledgling organization’s amazement, Philco on 15 July [1933] signed an agreement providing for the eight-hour day, the forty-hour week, time and one half for overtime, abolition of penalties for bad work, payment for waiting time between jobs, shop committees to handle grievances, and minimum wages of 45 cents for men and 36 cents for women . . . .

The management, hoping to eliminate its “labor problems,” granted the union shop on August 17, requiring new employees to join within two weeks of hire. Finally, it obtained a commitment from the local, underwritten by [AFL President] Green that no other radio union chartered by the AFL would accept wages lower than Philco’s and that the union would not demand higher rates unless they were incorporated in the

NRA radio code or were paid by a competitive firm.

In defeating these electrical and steel company unions, industrial unionism thus established beachheads on the anti-union shores of basic industry.

Most large corporations, however, managed to avoid unionization--some by defeating strikes, others by nipping union organization in the bud with elaborate labor-spy and strong-arm operations, and others by increasing defiance of the NLB’s orders. As depression conditions doomed most strikes to failure, even the militant autoworkers failed to establish industrial unions under the NIRA. The Industrial Workers of the World (IWW) appealed to some workers as a rank-and-file controlled, direct-action industrial union with low dues and no contracts. Its organizing campaign in Detroit, however, was decimated by the loss of its strike at Murray Body in the fall of 1933, later analyzed by strike committee chairman Fred Thompson:<sup>13</sup>

The process of organizing or trying to get workers to organize endured through the summer with little results, until at Murray Body, just before changeover of model and consequent reduction of company operations; as workers belatedly began to “hive” around the IWW they found themselves laid off the next week and attributed this to the fact they had joined; this forced the IWW to act; we

sought some workable compromise as rotation of work, etc.; and the Murray board refused to go along, though they did meet with us. We pulled the plant. It was a strike we could not win, and it cramped our efforts at various other plants. Through that winter we did our utmost to visit those workers and retain a base, but our “eggs were in one basket” and were smashed.

Business defiance of the NLB spread after December 1933, when Weirton Steel’s refusal to hold representation elections brought the Reading Formula to a legal stalemate while this test case awaited judicial review. Soon after FDR’s February proclamation of support for his tottering NLB, the NRA announced its competing 7a-interpretation that safeguarded company unions behind the principle of “proportional representation,” which preserved

“minority bargaining rights” by allowing several unions per bargaining unit (as opposed to the NLB’s certification of “exclusive bargaining agents” elected by majority vote). In March 1934, FDR applied the NRA’s interpretation in his NRA auto-code settlement, which by sanctioning the auto company unions decimated the weak AFL locals. Autoworkers deserting the AFL after this defeat were soon joined by rubber- and steel-workers exasperated with the

“National Run Around” and the AFL’s defeatist stalling maneuvers. While the frustrated NLB chairman, Senator Wagner, started his campaign for legislation to resuscitate the Reading Formula and reaffirm workers’ right to organize independent unions, some workers began resorting to the law of “might makes right.”

Spring of 1934 brought industrial warfare as local unions broke through the fetters of the inert AFL to test their strength against their employers and the various government forces arrayed against them. In May a losing strike for union recognition at Electric AutoLite escalated into the Battle of Toledo (Ohio) as the local, radically-influenced unemployed league joined the strikers in defiance of court injunctions against mass picketing. After two days of rioting in which two men were shot dead by National Guardsmen, the factory was shut down.

Although they won only a small wage increase and union recognition, Toledo strikers and their supporters showed that class action could force concessions from the staunchly anti-union auto industry. Shortly thereafter, a well-organized teamster strike in Minneapolis underlined the importance of military tactics as roving pickets stopped commercial traffic for days and a club-carrying crowd foiled a strikebreaking attempt by police and deputized citizens. Although

sympathetic to the strikers, Governor Olson of Minnesota responded to the deaths of two socialites in this Battle of Deputies Run with a declaration of martial law, whose supposed maintenance of the status quo soon eroded the strikers' position by permitting a gradual restoration of commercial traffic. Only by disregarding the strikebreaking martial law did strikers pressure the Governor to turn the table on the employers, who eventually conceded a minimum wage and union recognition according to Reading Formula elections.<sup>14</sup>

The NRA's principle of proportional representation was challenged in the West Coast waterfront strike. In May, when the damaging strike was three weeks old, the Waterfront Employers of San Francisco signed an agreement with the corrupt president of the International Longshoremen's Association (ILA) granting wage increases but preserving the daily hiring system aptly described as a slave market. Angry strikers rallied behind radical caucus leader Harry Bridges to reject the ILA "sweetheart" deal and renew their demand for a union hiring hall, which the bosses refused as a closed shop outlawed by the NRA's interpretation of 7a. In July, after the killing of two strikers in a brutal attack on pickets by police attempting to open the port, pressure rose for a general strike, which the city's AFL

Central Labor Council called reluctantly, coordinated poorly, and terminated at the earliest possible moment. Although the longshoremen won a *de facto* union hiring hall and wage increases, the weaker maritime unions did not gain recognition because of their reliance on the conservative strike committee.

That not all tests of strength in the NRA period brought union advances was evidenced by the terrible defeat of the textile strike in September 1934. Exasperated with a NRA cotton textile board that had failed to enforce Section 7a, workers struck for higher wages, an end to the nerve-racking stretchout, and recognition of the United Textile Workers (UTW). In desperate attempts by flying squadrons and picketing crowds to shutdown strikebreaking mills from New England to the small towns of the hysterically anti-union south, strikers, who by 18

September numbered 420,000, soon met the resistance of scabs protected by troops, who in the South alone numbered over 25,000. With a death toll of fifteen, mass arrests, evictions, and seizures of relief funds, the UTW called off the strike on 22 September with nothing offered but massive reprisals.<sup>15</sup> Not only was the UTW decimated, but memories of this disaster lingered and

contributed to the South's continuing resistance to unionization.

The state's response to these upheavals had a major impact on their outcomes. Local governments invariably sided with the bosses by providing police and special deputies to maintain law and order; and, when these strikebreaking efforts provoked violence, state governors called out their National Guards. Capitalists could also rely on the courts to issue injunctions to halt picketing and other strike activities. Both capital and labor, however, appealed to the President in their hours of need. Since FDR always sided with strength when forced off his political fence, union pleas for Reading-Formula-style justice were answered

with requests for strike postponements, mediators, disastrous settlements (such as in autos and textiles), and feeble recommendations of amnesty for strikers.

While they usually relied on local law enforcement and shunned federal intervention in their affairs, embattled capitalists and regional politicians in fear of insurrection occasionally turned to federal authorities for support. Not only had governors always received troops whenever they thought strikes threatened their authority (e.g., the Great Upheaval of 1877, the 1892 and 1897 Coeur d'Alenes mine strikes, and the 1919 Seattle General Strike), but also presidents sometimes pressured, preempted, or overruled those governors who failed to intervene in strikes threatening the national interest (e.g., the 1894 Pullman strike, IWW

strikes during the first world war, and the 1922 UMW strike).

FDR became the first president to refuse to send the army immediately to quell labor disputes. Assessing the textile strike from the more detached viewpoint of the general (capitalist) interest, he held troops in abeyance despite the Rhode Island governor's plea for

"drastic action" to prevent "riotous mobs" from storming his statehouse.<sup>16</sup> As the longshoremen's strike heated up, San Francisco newspapers screamed about endangered sacred American traditions, while Oregon's governor claimed the strike was "beyond the reach of state authorities" in his request for army intervention. While California's governor petitioned the U.S. Immigration Service to deport alien strikers, its U.S. Senator Hiram Johnson called for FDR's aid saying, "Here is revolution not only in the making but with the initial actualities. . . . Not alone is this San Francisco's disaster but it is [the] possible

ruin of the Pacific Coast.”<sup>17</sup> A *Los Angeles Times* editorial epitomized West Coast business’

alarm:<sup>18</sup>

The situation in San Francisco is not correctly described by the phrase “general strike.” What is actually in progress there is an insurrection, a Communist-inspired and led revolt against organized government. There is but one thing to be done--put down the revolt with any force necessary.

Advised, however, by Secretary of Labor Perkins that the general strike committee was “in charge of the whole strike . . . and represents conservative leadership,” FDR, biding his time on a Pacific cruise, won his gamble that the strike would resolve itself at the expense of the Republican shipowners, who, in his judgment, exaggerated the threat to the nation posed by a dispute over union security.<sup>19</sup>

Though circumspect in handling major strikes, FDR did not promote unionization. While like all twentieth-century American presidents he accepted the principle of collective bargaining,<sup>20</sup> his labor policy concentrated on relief measures, minimum wages and standards for working conditions, and social insurance programs. Murray Edelman provides a good summary of FDR’s record with organized labor:<sup>21</sup>

He invariably failed to support labor legislation actively until he was convinced it had adequate political support, and he sometimes sabotaged pro-labor policies already declared to be the law because of strong business pressures. In killing the Black thirty-hours bill, in his occasional pro-business interventions in NRA, in his long delays in supporting the 1934 and 1935 Wagner bills, the 1934 unemployment insurance bills, and the 1934 Railway Labor Act amendments, in his order to cut relief sharply just before the 1937 recession, and in his ambivalent statements during the sitdown strikes, he showed himself less the proponent of the things labor was demanding than a consummate politician interested in a program that would have maximum effectiveness and popularity. He showed it again in viewing the NLRB from 1935 to 1939 as unduly independent in its policies, unpredictable, and often embarrassing politically.

## **THE WAGNER ACT AND THE RISE OF THE CIO**

Amid fresh memories of the summer’s violent strikes, the more liberal

Democratic Congress elected in November 1934 proved more receptive to Senator Wagner's efforts to replace the NIRA, whose failure as a depression cure and guarantee of collective bargaining was obvious. Since the March auto settlement, Wagner had sought legislation to strengthen the NLB's power to curtail employers' union-busting privileges, which had enabled them to circumvent workers' right to join unions (granted almost a century earlier). In July 1935, Wagner's National Labor Relations Act finally outlawed employers' "unfair labor practices,"

including company support of unions, and required them to "bargain in good faith" with freely chosen representatives of the majority of workers in bargaining units to be delimited by the NLRB. The Wagner Act also empowered the NLRB to supervise representation elections, certify exclusive bargaining agents so elected, investigate and prosecute employer interference, and seek court injunctions to enforce its decisions. In short, proportional representation was rejected in favor of the Reading Formula, which was given the force of law.

Interpretations of the Wagner Act as a conscious plan of capital to reintegrate potentially revolutionary workers into the system via unionization ignore the complexity and uncertainty of the situation. As with the NIRA, a coalition of mutually conflicting interests produced legislation whose application would be determined by a dynamic interaction of political and economic forces as the depression took its course. Although the more conservative NIRA backers, whose influence centered in the NRA, dropped from the coalition, most interests behind the NIRA (e.g., Northern textile manufacturers, retail magnates, organized labor, et al.) rallied behind Wagner in their continued search for an amenable solution to the depression. The NIRA's rationale of business self-regulation to eliminate unfair competition was now supplanted by arguments that economic recovery was thwarted by the underconsumption of workers and the disruption of commerce due to strikes. Collective bargaining, it was argued, would eliminate most strikes; and, unionization would boost mass purchasing power by redressing the imbalance in the economy caused by the disproportionate power of concentrated capital. Calling for "industrial democracy" to supplement political democracy, many Democrats from industrial regions sought labor support and promoted unions as sources of a new breed of junior statesmen, who would defend workers' economic interests and democratic rights on the job against the abuses of corporate totalitarian rule.

Passage of the Act was facilitated by its ambiguity and the uncertainty of its

application. To secure the AFL's approval, Wagner vaguely left to the NLRB's discretion the jurisdiction of bargaining units (i.e., the specific designation of which workers would be eligible to vote for NLRB-certified bargaining agents for a craft-, plant-, or industry-wide bargaining unit). Since the Supreme Court had declared the NIRA unconstitutional in May 1935, business relaxed its opposition to the Wagner Act in anticipation of lax enforcement and eventual judicial invalidation. Because neither business nor the AFL could foresee the development of the CIO

and its encouragement by the NLRB's preference for industrial bargaining units, the law passed without the vehement opposition that was to develop later.

While signaling to liberals a need for "industrial democracy" and collective bargaining machinery to handle labor disputes, the 1934 strikes also had demonstrated concretely the limits of workers' militancy, their strike power in various industries, and government reactions, and had elucidated the possibilities for establishing industrial unions under the new legal protection of the Wagner Act. The AFL, however, hesitated to take advantage of the improved climate for organizing. At the peak of NIRA agitation, teamster boss Dan Tobin had still maintained that the semi-skilled mass production workers were too weak to warrant a union leader's attention:<sup>22</sup>

The scramble for admittance to the union is on. We do not want to charter the riff-raff or good-for-nothings, or those for whom we cannot make wages or conditions . . . . We do not want the men today if they are going on strike tomorrow.

At least in terms of money and membership his judgment that unskilled workers were "unfit for unionism" had been supported by historical evidence. Up to 1934 unskilled workers had been too easily replaced, too isolated and divided, and too poorly paid to threaten or pull off the strikes necessary to establish and maintain a union domain and to extract the wage increases necessary to sustain dues payments and union officials. Previous attempts to organize permanent unions of semi-and un-skilled workers had failed except in coal mining and the needle trades. The idea of One Big Union had been introduced by the populist Knights of Labor in the 1870's, narrowed for application to the railways in the early 1890's by Eugene Debs, and developed as "revolutionary industrial unionism" by the IWW during the decade before the first world war.<sup>23</sup> While the Knights had lost significance as a workers'



movement because of its opposition to the eight-hour-day agitation, Deb's American Railway Union might have succeeded as an industrial union for the railroads (as this strategic, early capitalized sector has elsewhere spawned early organizations of this type) had it not been wiped out by the military repression of the Pullman strike in 1894. The IWW had used defiant direct action to further spontaneous strikes of textile millhands, steelworkers, migrant farmworkers, lumberjacks, hardrock miners, and other "marginal" workers. While they received a lot of notoriety for several spectacular victories and for their revolutionary propaganda, their unions did not maintain large numbers of dues-paying members even before their suppression as an unpatriotic thorn in the side of the American bourgeoisie.

Ignoring the difficulties unions had encountered during the early phase of industrialization, John L. Lewis criticized the IWW on the grounds that "it never attempted to consolidate its gains. It continually bled itself white by the vigor of its struggles and was always vulnerable from the rear."<sup>24</sup> While the IWW's aversion to contracts, and business unionism generally, may have contributed to its failure as a union, the UMW's prudence in response to milder government repression of its vigorous tactics during and after the second world war would also backfire (as can be seen in its current struggle to preserve its gains, if not itself, within its shrinking share of bituminous coal production). Nevertheless, Lewis concluded from his analysis of past organizing failures and of the brightening climate under the Wagner Act that industrial unionism was no longer a revolutionary but a business proposition, one with good prospects if properly financed by the AFL and managed by practical union leaders like himself. In opposition to the cautious craft-union bosses, he contended that the mass-production industries were ripe for unionization along industrial lines and that the AFL would profit by mounting a massive organizing campaign. Both he and Sidney Hillman, as heads of embattled industrial unions, sensed that unless the industries closest to them—steel and cotton textiles respectively—were unionized, they would soon lose their precarious footholds as had the industrial unions before them. Pressuring the AFL to support his cause financially, Lewis warned that not only the UMW's but also the AFL's survival was at stake:<sup>25</sup>

The failure of the American Federation of Labor to organize the workers in the mass-production industries creates a hazardous situation as far as the future of the Federation is concerned. If the Wagner Bill is enacted there is going to be increasing organization and if the workers are organized in independent unions we are facing the merging of these independent unions in some form of national

organization.

Exasperated with the AFL's morbid conservatism and having "read the revolutionary handwriting on the walls of American industry" (as his biographer ironically put it),<sup>26</sup> Lewis seized the opportunity offered by the passage of the Wagner Act to fulfill his own prophecy by founding the CIO in December 1935. Of the CIO's seven charter unions, the most

important in terms of membership and resources were the UMW, the ACW, and the International Ladies Garment Workers Union (ILGWU). Although the CIO founders hoped to remain within and obtain support from the AFL, the latter responded to the threat of CIO

success by expelling a third of the AFL membership from its November 1936 convention.

The most significant of the emerging industrial unions that affiliated with the CIO were the United Rubber Workers (URW), the United Auto Workers (UAW), and several Communist unions--the United Electrical and Radio Workers (UE), Harry Bridges' International Longshoremen's and Warehousemen's Union

(ILWU), and the National Maritime Union (NMU). Two weak unions--the Amalgamated Association of Iron, Steel and Tin Workers (AA) and the UTW--formed the basis of the CIO's two main projects--the Steel Workers Organizing Committee (SWOC), led by Philip Murray of the UMW, and the Textile Workers Organizing Committee (TWOC), led by Hillman of the ACW. Although the CIO provided organizers and advised the developing unions in the mass-production industries, most of its money and energy were devoted to organizing steel and textiles, the industries most crucial for its principal founders.

Anti-union companies remained as unfazed by the Wagner Act as they had been by Section 7a of the NIRA. But, aided by a slight upswing in the economy between 1935 and mid-1937, workers once again flexed their economic muscles, this time demonstrating their "fitness for unionism" in certain mass-production industries. The NIRA pattern of union breakthroughs with the largest firms in various industries was to be repeated (e.g., U.S. Steel, G.E., and large Northern textile manufactures) and extended (e.g., Goodyear Rubber and General Motors), while their smaller competitors were to resist until it became too costly in terms of bad publicity, law suits, or government contracts.

Early in 1936, rubberworkers in Akron, Ohio began demonstrating their power to bring reluctant bosses to terms through their repeated use of the sitdown strike, an adaptation of the IWW folded-arms tactic that proved very effective in shutting down assembly lines and idling entire plants. Although it would eventually benefit from these sitdowns, the URW

(which in 1935 claimed only 3,000 members among about 100,000 rubberworkers) initially disapproved of this form of direct action. Not only did the URW seriously weaken the February Goodyear strike by convincing strikers to march out of the occupied plant to the union hall and, consequently, to bitter-cold, vulnerable picket lines, but it also refused to recognize the strike until CIO organizers arrived on its sixth day. Shrewder than some of their local leaders, the CIO national officials would for a while support, although rarely initiate, sitdowns whose goals included CIO recognition. Visiting Akron in 1936, Louis Adamic described the URW organizing drive that pulled 75,000 members by 1938:27

In November I was told in Akron that nearly every serious sitdown boosted the membership by as much as five hundred. Organizers signed up men while they “sat.”

In his efforts to reassure the public in 1937 that the sitdown did not pose a revolutionary threat but would lead to industrial democracy, Joel Seidman accurately predicted the replacement of direct action with grievance arbitration once the URW solidified its control:28

The rubber workers are new and enthusiastic unionists. The sitdown technique works, so they use it as soon as an issue arises. Their officers are urging them not to stop production without first bringing their grievance to the attention of the union and the company through the regular channels. . . . As the rubber workers become more experienced and more disciplined unionists, the sitdowns over petty issues will doubtless disappear.

Having pulled short sitdowns known as “quickies” since 1933, autoworkers in 1936 began to

“stay-in” demanding union recognition, wage increases, reduction of hours to prevent layoffs during model changes, abolition of piecework, reinstatement of union members, etc. Learning

from Akron workers the effectiveness of the sitdown in enabling a minority to halt production, preventing strikebreaking, and rallying workers to the union, the UAW

sanctioned organizational sitdowns, the most dramatic of which would occur at Flint during the General Motors (GM) strike. From April to December 1936, however, the UAW had gained only an average membership of 27,000--or about ten percent of the industry's workforce.<sup>29</sup> While Lewis concentrated on negotiations with US Steel, his advisor to the UAW, Adolph Germer, thwarted UAW President Homer Martin's attempts to spread a strike (begun on 18 November) at the Atlanta Fisher Body plant to the rest of the parent company.

Germer advocated postponement of a companywide strike until after the New Year, when a New Deal governor would be inaugurated in Michigan and the Christmas period with its scheduled bonus would have passed. Although momentum for a strike against the entire GM

system increased as the Libby-Owens-Ford glassworks and the Kansas City Fisher plant were shutdown by mid-December, sitdowns at the strategic Cleveland and Flint Fisher assembly plants (on 28 and 30 December respectively), coordinated by the Communist vice-president of the UAW, Wyndham Mortimer, finally precipitated the CIO's greatest strike.

By the end of January 1937, about a dozen more sitdowns and conventional strikes coupled with spreading lockouts for lack of parts had shut down fifty GM plants and idled 125,000

workers, most of whom were not striking.<sup>30</sup> Although Martin had prematurely evacuated the other occupied GM factories by 16 January, the Flint sitdown strikers, upon advice from CIO

organizers and the Mortimer faction, saved the strike by holding out for GM's recognition of the UAW as exclusive bargaining agent, a status which could not be achieved through NLRB

elections due to union weakness. Helpless to prevent a return to work at many plants on 27

January, the strikers in Flint once again rescued the waning strike, this time with a brilliant military operation orchestrated by strike leaders around Mortimer and

the Reuther brothers.

This spectacular capture of a strategic Chevrolet engine plant finally crippled GM production on 1 February and relieved the pressure on the occupiers at Fisher Body, who, however, were to remain under the governor's threat of forced eviction for another week. After this demonstration of union strength, previously reluctant workers flooded into the UAW and public opinion swung to the strikers, who, despite "their unconventional behavior," after all were only "pursuing objectives sanctioned by law but denied them by their employer."<sup>31</sup>

As the pressure mounted, FDR, a weathervane for public opinion, announced on 5 February his intent to push legislation to defend the Wagner Act by packing the hostile Supreme Court with New Deal judges. He even expressed momentary lenience toward the sitdown, which by 1939 was to be outlawed by the Supreme Court:<sup>32</sup>

Well it is illegal. But shooting it out and killing a lot of people because they have violated the laws of trespass . . . . [is not] the answer . . . . There must be another way. Why can't those fellows in GM meet with a committee of the workers?

Under the greatest pressure ever applied by the CIO, GM on 11 February accepted the defeat of its proportional representation scheme, recognized the UAW as de facto exclusive bargaining agent for seventeen struck plants, and granted a five-cents-per-hour increase to all 150,000 GM workers.<sup>33</sup>

Meanwhile, impressed by the CIO's show of force, GE and US Steel moved to expand the limited relations they had established with industrial unions during the NIRA period. Because of Gerard Swope's unusual acceptance of unions, GE had already agreed to NLRB elections when so requested by the UE, which had narrowly defeated the company union in GE's main plant. On 24 February 1937, Swope without a fight granted the UE company-wide recognition. A week later, President Myron Taylor of US Steel (known as Big Steel because of its dominant position in the industry) agreed to replace his failing company union with

Lewis' SWOC. The Big Steel agreement of 2 March granted wage increases, overtime pay after forty hours, and recognition of the SWOC (but only as bargaining agent for its members, not as sole bargaining agent for the company). Although Little Steel (viz.

Bethlehem, Jones and Laughlin, Republic, Inland, Youngstown Sheet and Tube,

et al.) and other observers were shocked, Taylor's consent to unionization made economic sense. With US Steel's profits picking up and British armaments orders in the offing, he figured that "the cost of a strike would have been incalculable," as Little Steel would have hastened to fill his orders.<sup>34</sup> In his decision to yield to what he sensed was a political drift toward unionization, Taylor also was influenced by his experience with Lewis as a responsible enforcer of their captive mines agreement. Other factors that may have affected him included: the recent passage of a law instituting a forty-hour workweek with overtime pay on all government contracts, the election of a New Deal governor in Pennsylvania who could not be trusted to provide strikebreaking troops, and the threat of adverse public opinion in the event of a fight.

Taylor's assessment of the political climate was to be confirmed by the March sitdown wave and the Supreme Court's unexpected validation of the Wagner Act on 12 April. In the wake of this court victory, which forced Jones and Laughlin Steel to deal with the SWOC, several large corporations (e.g., Firestone Rubber and Westinghouse Electric) were to follow US

Steel's lead in recognizing CIO unions as bargaining agents for their members.

In the midst of these victories, however, appeared an evil omen. In March the UAW'S

attempt to extend its status as exclusive bargaining agent from GM to the second largest automaker, Chrysler, failed. Bernstein describes the situation that developed as the Michigan governor seriously threatened to force evacuation of the nine occupied Chrysler plants:<sup>35</sup>

Lewis realized that the UAW had overreached itself. On March 24, he agreed to evacuation of the plants, recognition for members only, and a grace period for bargaining on the substance of the agreement . . . . Some of the men in the factories balked at these terms since the strike now became purposeless [since Chrysler had accepted the other terms of the GM

agreement before the strike].

While the 1937 strike wave yielded recognition of CIO unions as bargaining agents for their members, the security of exclusive-bargaining agent status, conceived in the Reading Formula, was not to be achieved until the second world war.

# THE ROOSEVELT RECESSION

Feeling the harbinger effects of the coming economic downturn by May 1937, Little Steel refused to recognize the SWOC and undermined its organizing drive by granting the wage conditions of the Big Steel agreement. The SWOC was biding its time in hopes of amassing members before attempting to make a deal with the anti-union Little Steel firms. This strategy of accumulating power before a showdown backfired as Republic Steel took the offensive by locking out workers in its plants in Canton and Massillon, Ohio, where the SWOC was particularly strong. The SWOC on May 26 reluctantly responded to this provocation by calling out its members at Republic, Inland, and Youngstown Sheet and Tube, where its organizing drives had been partially successful. Lacking the strategic advantage of factory occupations, strikers faced strikebreaking and vigilante attacks on pickets, which resulted in ten dead and ninety wounded at Republic Steel's Memorial Day Massacre in Chicago and two more killed in

Youngstown, Ohio. Much to SWOC's surprise, two-thirds of the poorly organized workers at Bethlehem Steel's Cambria Works in Johnstown, Pa. reacted by walking out on 11 June. But rather than appeal to all steel-workers for similar protest strikes, or call a general CIO strike, or even allow local protests, the SWOC demonstrated its sense of responsibility by depending on government mediation rather than workers' revenge. Government authorities vacillated as

the balance of power shifted. While the governor of Pennsylvania had sent the National Guard to shut down Bethlehem Steel, he was to rescind his martial law decree under business pressure and facilitate a return to work on 27 June. Having declared martial law as thousands poured into Youngstown to avenge the shootings there, Ohio Governor Davey lifted his decree on 25 June. SWOC leader Philip Murray, who had respected the law all along, then feebly appealed to FDR for support of the collapsing strike. Although the President had sent mediators and criticized Little Steel for not signing, he sealed the SWOC defeat with his famous condemnation: "A plague on both your houses!"

As the Roosevelt Recession commenced in earnest in August 1937, the CIO's other major organizing effort, the TWOC, was also to meet defeat. Although there were a few sitdowns (e.g., at Apex Hosiery in Philadelphia in May/June

1937, which ended in forced eviction and a Supreme Court case over property damage), the TWOC relied mainly on NLRB

representation elections as the basis for recognition. Though the TWOC claimed 215,000

under contract by September, they could only organize 7% of the important Southern region, which continued the resistance that had wrecked the UMW in 1934. The TWOC was soon to be decimated as even its gains with large Northern manufacturers were wiped out by drastic wage cuts and widespread layoffs.

That the CIO's acceleration had been slowed was evidenced not only by the SWOC and TWOC failures but also by its membership figures, which reached their peak vis-a-vis the AFL in October 1937. Just as any business must accumulate capital or go to the dogs, the eventual decline of the CIO as a new type of union could be predicted even then, as it was by one executive interviewed in a *Fortune* survey:<sup>36</sup>

The CIO has gone hog-wild because Lewis bit off more than he can chew. In his own trade he is intelligent; we've had no trouble in our coal mines with the CIO. The whole strike business, of course, moves in cycles, and I predict that Lewis will eventually shake things down, get rid of the Communists and hotheads, and probably have a trade union.

Most executives in this survey agreed that the tide of unionization had turned:<sup>37</sup>

Elements considered to have checked the wave at a dangerous point were the following: (1) The loss of the Little Strike. . . . (2) The Chicago Memorial Day riot. . . . (3) The action of Gov. Davey in protecting the "right to work" in the Little Steel Strike. (4) The waning of enthusiasm of many workers for the CIO now that John L. Lewis has declared the

"honeymoon over" and is "trying to collect dues from his new unions." "In another six months the workers will be tired of paying tribute to a dictator." (5) Above all (in their belief), the general revulsion of US public opinion against the excesses of the CIO.

While Lewis had criticized the IWW for too much vigor and no self-preservation instinct, the CIO survived in spite of its inability to preserve its vigor in the face



of adversity. In the first place, only a militant minority of workers had defied public opinion, strikebreaking fellow workers, and the state's might, in order to force the advances that the CIO had capitalized on.

As previously mentioned, Lewis had to reject GM's proposal for NLRB elections in February. Lee Pressman, counsel for the CIO, described a similar situation in steel in 1937:<sup>38</sup>

There is no question that [the SWOC] could not have filed for a petition through the NLRB . .

. . for an election. We could not have won an election for collective bargaining on the basis of our own membership or the results of the organizing campaign to date. This certainly applied not only to Little Steel but also to Big Steel.

"Labor's giant step" notwithstanding, revolutionary class consciousness did not prevail in the CIO. Communists, acting as unionists par excellence, initially ambivalent toward

"undisciplined" sitdowns, actively opposed them after union recognition had been won.<sup>39</sup> A

prevalent patriotic spirit could be glimpsed in the American flags draping strikers' caskets and flown at CIO demonstrations and sitdowns, in strike placards such as, "We're with you, Mr. Chrysler, if you're with us!" and in such pronouncements as the following by UAW

President Martin:<sup>40</sup>

What more sacred property right is there in the world than the right of a man in his job? . . . .

It is the most sacred, most fundamental property right in America. It means more to the stabilization of American life, morally, socially and economically, than any other property right.

As Seidman pointed out, the implicitly revolutionary aspect of the sitdown was usually masked by the reformist goal of union recognition:<sup>41</sup>

It is precisely because such strikes seem to challenge the rights of property

ownership that such controversy has been aroused over them. And yet it should be clear that sitdown strikers are not challenging the ownership of the plant, but merely the employer's right to dismiss them and operate the plant with strikebreakers . . . . Nor is the sitdown a revolutionary weapon, as some have proclaimed. It asserts, not the right to the factory, but the right to the job . . . . The sit-down should be sharply distinguished from the seizures of Italian factories by workers following the World War, for there is no attempt to operate the plant.

Since most strikers thought they were fighting for a better life under capitalism and not for the system's abolition, it is hardly surprising that when union organizing drives ran into difficulties, the militant minority of workers did not take desperate steps to force events beyond the barriers of reform, but chose to bide their time in hopes of recouping their losses in the future.

Unfortunately, because they have no political interest in the question of the limits of union organizing, most historians gloss over the decline of the sitdown wave after March 1937 and the subsequent arrest of CIO expansion. Standard labor histories usually mention "adverse public opinion" as a factor in this decline, while a few historians like Professor Witte give credit to the CIO leadership:<sup>42</sup>

Conservatism on the part of labor will come with recognition and responsibility. Already the principal executives in the CIO movement have come to realize that the sitdown is completely destructive to union discipline, that the unions lose control of their own members if they have many sitdowns. These labor leaders are worried just as much as management about the sitdown strikes, and that is the main reason why the sitdowns are getting less frequent.

While public opinion and the CIO chiefs did turn against the sitdowns, these explanations fail to show why the rank-and-file, who initiated many of the occupations, ceased to use this dramatically successful tactic. It might be that both workers and unions abandoned the technique because the limits on what bosses would concede were reached as the economy turned sharply downward in mid-1937. As unemployment rose to 19% by 1938, workers'

economic power was weakened in the face of wage cuts, layoffs, and threats to union survival reminiscent of the early 1930's. These difficulties were presaged by the unsuccessful strikes at Chrysler and Little Steel as well as by several forced evictions of strikers at smaller sitdowns in Detroit and elsewhere in late

March. In the absence of studies of the outcomes of the post-March strikes and of the workforce that remained unorganized, one can only conclude that the CIO temporarily ran out of workers “fit for unionism” to organize.

Just as young business ventures figure prominently among the early casualties of recessions, the precariousness of the CIO’s foothold in the mass-production industries was revealed as the failing economy hit it harder than the AFL. Particularly attributing its weakness relative

to the AFL to the CIO’s greater dependence on appealing to the rank and file, labor historian David Brody aptly describes the dilemma the CIO faced during this period:<sup>43</sup>

Declining membership and, in some cases, internal dissension rendered uncertain the organizational viability of the industrial unions. And their weakness in turn further undermined their effectiveness in collective bargaining. They faced a fearful choice. If they became quiescent, they would sacrifice the support of the membership. If they pressed for further concessions, they would unavoidably become involved in strikes. By so doing, they would expose their weakened ranks in one area in which labor legislation permitted the full expression of employer hostility.

As possibilities for achieving material gains through strikes diminished, the CIO increasingly concentrated on NLRB election campaigns and lawsuits as NLRB certification became the most feasible advance. Even with NLRB victories, however, the CIO ran into organizing difficulties such as those described at the time by labor economist Robert R.R. Brooks:<sup>44</sup>

Late in 1939, however, the indications were that the spectacular success of the US Steel campaign could not be repeated against Bethlehem. For one thing, the Bethlehem Employee Representation Plan, even though outlawed by the NLRB, was much older and more firmly established than the employee representation plans in US Steel subsidiaries. But even more important than this was the fact that the methods used in early SWOC campaigns had become stale. The enthusiasm built up by the whirlwind successes of the 1937 campaign had been dissipated in the futile and unplanned strike against Bethlehem’s Cambria plant. Disillusion and disinterest were the inevitable aftermath. Early in 1940 there were no signs of anything like the almost hysterical enthusiasm of 1937. Consequently, the organizing campaign against Bethlehem was settling down to

a long-run educational program.

CIO reliance on the NLRB, however, did pay off in decisions that favored the UE and Bridges' ILWU against the AFL, which had wasted no time once the CIO had demonstrated (as venture capital often does) that union gains were waiting to be harvested along industrial lines. Not only did AFL competition dampen the CIO's growth, but also conflicts over union boundaries and political policy arose causing industrial unions to refuse CIO affiliation and major CIO founders to desert. For example, Lundeborg's Sailor's Union of the Pacific never joined the CIO because he could not agree on the division of the maritime pie with the Communist leaders of the ILWU and the NMU. Having denounced the ILGWU for its 1938

defection from the CIO ranks, Lewis would also abandon his child in 1942, because of mounting friction with Philip Murray, who had succeeded him as CIO president in 1940.

As the AFL continued to "organize the unorganized" into industrial unions, the interunion competition exposed this CIO rallying cry as propagandistic cover for its ambitions for "pure and simple" self-expansion. Workers who fought for recognition of their local organizations and increased control over production were soon dismayed as national union headquarters consolidated their control over dissenting locals on the grounds that only unified unions could match the power of concentrated capital. Having always been ruled as dictatorially as any AFL fiefdom, the SWOC mocked those who believed "industrial democracy" implied workers' control of their union. Brooks described the SWOC policy of centralized finances in blatant terms:<sup>45</sup>

Discipline as well as economy is served by this policy since the relatively limited funds of the local unions do not permit them to flout the authority of the national officers. The SWOC has, for example, laid down a policy that no strike shall be called without the approval of the national office. A local violating this rule would find itself denied financial support from the national treasury and dependent upon its own slim resources.

When financial punishment did not deter workers under contract from pulling wildcat strikes, CIO leaders resorted to public denunciation, strongarm enforcers, scabbing, collusive manipulations resulting in lockouts, firings, fines, and blacklisting. Brecher quotes an interesting New York Times article on this

topic, entitled, "Unauthorized Sit-downs Fought by CIO," dated 11 April 1937:46

,blockquote>(1) As soon as an unauthorized strike occurs or impends, international officers or representatives of the UAW are rushed to the scene to end or prevent it, get the man back to work and bring about an orderly adjustment of the grievances.

(2) Strict orders have been issued to all organizers and representatives that they will be dismissed if they authorize any stoppages of work without the consent of the international officers, and that local unions will not receive any money or financial support from the international union for any unauthorized stoppage of, or interference with, production.

(3) The shop stewards are being "educated" in the procedure for settling grievances set up in the General Motors contract, and a system is being worked out which the union believes will convince the rank-and-file that strikes are unnecessary.

(4) In certain instances there has been a "purge" of officers, organizers and representatives who have appeared to be "hot-heads" or "trouble-makers" by dismissing, transferring or demoting them.

# THE SECOND WORLD WAR

The CIO not only failed to be an “instrument of the workers” but also thwarted those who tried to use it for independent political action. During the period of the Hitler-Stalin pact, the Communist Party switched from its Popular Front strategy of cooperation with the CIO to opposition to its class collaboration. The Mortimer faction of the UAW in this period fomented strikes to organize war-production workers in California and Wisconsin. These strikes met with hostility from FDR, Hillman, and the other UAW factions and climaxed in June 1941 with military strikebreaking reminiscent of the IWW’s fate during the first world war. Two weeks later, with the Nazi invasion of Russia, the CP reversed to total support of the war. But despite their zealous promotion of productivity throughout the war, the Communist CIO officials and unions were to be purged as soon as they opposed union and government policies as the Cold War commenced.

Defending his toleration of CIO communists in asking, “Who gets the bird, the hunter or the dog,” Lewis ironically foretold the defeat of not only their ambitions but also his own.

Having hoped for an offer of the 1940 vice presidency from his fellow-hunters, Lewis howled when instead FDR not only made him swallow the Little Steel defeat but also got reelected despite his opposition. Lewis’ refusal to accept his underdog status resulted in his petulant resignation as CIO president and subsequent defiance of the patriotic wartime strike prohibition.

Sidney Hillman, on the other hand, never forgot that FDR and the capitalists were labor’s bosses. Despite his desires for a labor party and for greater union participation in extended government economic planning, Hillman never ignored the realities of American politics, which only offered organized labor a junior partnership in the Democratic Party. Because of his loyalty to FDR and his position as CIO vice-president, he was appointed to represent labor on the successive federal planning bodies in charge of coordinating war production, which by 1942 took final form as the National War Labor Board (NWLBB). Since the power of American industrialists had not been seriously challenged during the depression, they dominated these tripartite planning agencies, dictated how war production was to be organized, and sought only confirmation of their plans

by the AFL and CIO, who responded according to their weak positions by agreeing to the NWLB's no-strike policy.

As the war effort replaced the New Deal, however, Hillman's prescription for curing the depression with expanded government economic intervention and social planning was finally implemented. As private industry received military supply orders in 1941, for the first time profits surpassed their 1929 level and unemployment dropped below 10%.<sup>47</sup> Brody accurately identifies this turning point in CIO fortunes:<sup>48</sup>

Industry's desire to capitalize on a business upswing was particularly acute now; and rising job opportunities and prices created a new militancy in the laboring ranks. The open shop strongholds began to crumble. Organization came to the four Little Steel companies, to Ford, and to their lesser counterparts. The resistance to collective bargaining, where it had been a line of conflict, was also breaking down. First contracts were finally being signed by such companies as Goodyear, Armour, Cudahy, Westinghouse, Union Switch and Signal. Above all, collective bargaining after a three-year gap began to produce positive results. On 14 April 1941, US Steel set the pattern for its industry with an increase of ten cents an hour. For manufacturing generally, average hourly earnings from 1940 to 1941

increased over 10% and weekly earnings 17%; living costs rose only 5%. More than wages was involved. Generally, initial contracts were thoroughly renegotiated for the first time, and this produced a wide range of improvements in vacation, holiday, and seniority provisions and in grievance procedure. Mass production workers could now see the tangible benefits flowing from their union membership. These results of the defense prosperity were reflected in union growth: CIO membership jumped from 1,350,000 in 1940 to 2,850,000 in 1941.

Thus, only under wartime conditions, which brought increased government spending and consequently greater influence in labor relations, did independent unions defeat company unions and become firmly established in the mass-production industries. Eager to profit from war production and facing a labor shortage, capitalists finally began to accept the cornerstone of the present labor relations system, the written contract covering a corporation's or industry's entire workforce, not just voluntary union members. Until the war, this form of capital-union cooperation existed mainly in craft unions' closed shop agreements, which allowed only union members to be hired, usually through

union hiring halls. During the 1930's, the American open shop system had been cracked by the modified union hiring halls for seamen and West Coast longshoremen, the GM settlement, and industrywide agreements in the commercial coal mines and in Minneapolis trucking. But when Henry Ford, forced to accept the UAW in May 1941, replaced his vigilante apparatus with industry's first closed shop, this lifelong opponent of unionism ironically became a trendsetter in labor relations.

That fall, a UMW captive mines strike wrung a union shop agreement (i.e., a closed shop modified to allow anyone to be hired providing he joined the union thereafter) from the steel companies, whom FDR had pressured to settle for fear of sparking further interruptions in war production. In July 1942, in hopes of maintaining production while insuring labor peace, the NWLB announced in its Little Steel Formula a further improvisation on the closed shop--

its "maintenance-of-membership" policy, which required that voluntary union members

"shall, during the life of the agreement as a condition of employment, remain members of the union in good standing" by not striking and by paying dues through a payroll deduction system known as "the voluntary," binding checkoff.<sup>49</sup>

The Little Steel Formula also proclaimed the NWLB's "equal sacrifice" policy, whose real-wage freeze was legislatively confirmed in September 1942. Having already achieved a union shop without the NWLB's help, the UMW rejected its wage controls in this inflationary period in a series of strikes throughout 1943, which proved ultimately rewarding despite CIO

condemnation and FDR's seizure of the mines. Although threatened with being drafted into the army under the War Labor Disputes Act of June 1943, workers elsewhere followed the

UMW's example with a wildcat strike wave that by 1944 surpassed all previous years in strike frequency.

Having always depended on government assistance in its drive to unionize the mass-production industries, the CIO did not at this late date bite the hand that fed it. When faced with loss of union security through revocation of their NWLB-granted maintenance-of-membership privileges, the CIO leaders once



again proved themselves responsible unionists by disciplining wildcatting workers and locals. As national CIO leadership under NWLB

protection became more independent of rank-and-file pressure, local leaders had to play an increasingly shrewd game of union politics in order to avoid expulsion by the national leaders, on the one hand, and replacement by popular leaders of forbidden wildcats, on the other. This conflict reached the national CIO leaders as the end of the war and government guarantees of membership approached. For example, in late 1944 Walter Reuther, by cleverly throwing his support to wildcatting UAW locals, managed to unseat the ruling faction, which had advocated a post-war settlement of accumulated grievances without a strike.

The CIO establishment's desire to extent government-union-industry cooperation into the post-war period was epitomized in March 1945 by President Murray's signing a mutual

"Charter of Industrial Peace" with AFL President Green and the head of the US Chamber of Commerce. But no sooner was the war over, than so many workers walked out in expectation of wage increases that the CIO leaders had to recognize and call strikes to retain control of what became the nation's largest strike wave. President Truman introduced "fact-finding boards" to arbitrate settlements once strikers returned to work. When workers refused to end strikes, he used wartime powers to order direct seizures of oil refineries, packinghouses, railroads, and bituminous coal mines. Brecher analyses the cresting strike wave:50

The unions made little effort to combat the government's attack, despite their demonstrated power virtually to stop the entire economy. Except for the miners [who were fined \$3.5

million for contempt of an anti-strike injunction], they returned to work when the government seized their industries, and in most cases they accepted the recommendations of the fact-finding boards, even though these admittedly meant a decline in workers' incomes below wartime levels . . . . Nor did the unions generally attempt to combine their strength, even within the AFL or CIO, each union made settlements without consideration of others on strike. Thus the division of the working class that had been the source of so much criticism of craft unionism was reproduced on a larger scale by industrial unionism.

Far from trying to break the unions, management in the large corporations had learned how to use them to control the workers; GM's number one demand in 1946 auto negotiations was

“union responsibility for uninterrupted production.” The unions were more than willing to continue their role in disciplining the labor force, 92% of contracts in 1945 provided automatic arbitration of grievances, and by 1947 90% of contracts pledge no strikes during the course of the agreement.

This resolution of America's greatest strike wave ever left the CIO unions firmly established in basic industry. CIO membership peaked at 4,451,000 in 1947, just as the Taft-Hartley Act extended the President's wartime strike-intervention powers and affirmed the government policy of union containment by prohibiting certain organizing practices deemed unfair to employers. In casting their fate with the world-conquering American economy, the CIO

unions found that NLRB certification combined with corporate acceptance allowed them enough independence from rank-and-file pressure to survive unpopular disciplinary actions, lost strikes, and economic recessions. Following the expulsion of the Communists from the CIO (1947-1950) and the Korean War, unionization peaked in 1954 at 25.5% of the total workforce (or 34.7% of the non-agricultural workforce),<sup>51</sup> and the AFL officially welcomed

the return of its prodigal son to business unionism in 1955. Since unionization has fallen over the last decade from 22.7% to 20.1% of the workforce (by 1974 to 26.2% of the non-agricultural workforce),<sup>52</sup> the AFL-CIO now faces another depression with the same resignation and ineffectiveness the AFL displayed in the early 1930's.

What lessons can be gleaned from this story of the CIO? First of all, the CIO never challenged, nor intended to challenge, the foundations of the economy within which it operated. Organized to fight for better conditions for a strong minority of the total workforce, the CIO under government protection extended unionism beyond its former craft domains to cover mass-production workers, but it did not oppose wage-labor or purport to fight for the working class as a whole. Secondly, its achievements as a union were always limited by the vicissitudes of the American economy. The economic balance swung in the CIO's favor with the return of full employment during the second world war and the expansion of the economy that eventually followed the American victory. But the CIO never

provided a solution to the crisis of the 1930's; it proved as helpless as the AFL in attempting to wring concessions from capitalists as the depression returned full force in the late 1930's. With its prudent acceptance of the defeat of its organizing committees and strikes in mid-1937, the CIO showed its union rather than revolutionary colors by failing to break through even inter-union limits with general strikes that might have threatened the national interest and the CIO's own precarious territory. On the other hand, unions that forgot their subordinate place in the capitalist economy (e.g., the IWW during the first world war, the Communist UAW faction during the Hitler-Stalin Pact, and the UMW during the second world war) were easily isolated and restrained, if not suppressed, by military and legal means. Finally, the CIO has suffered the emasculating fate of successful movements to reform capitalism. By leaving the fundamental capital-labor relation intact, the labor movement of the 1930's allowed its destiny to be determined by the demands of profitability and capital accumulation. No sooner were its contracts accepted by industrialists during the war, than the CIO dropped its radical posture and settled down to the business of unionism, the brokerage of labor-power. The verdict that subsequent history has passed on the CIO might best be captured by Marx's maxim, "The proletariat is revolutionary or it is nothing!"

As union strength is once again eroding in the face of shrinking profits, increased capitalist competition on an international scale, runaway shops, declining wages, and rising unemployment, most unions can be expected to acquiesce in their fate in the hope of riding out another depression by helping capital manage the developing misery. Where rank-and-file unrest pressures weaker unions to take arms against their sea of troubles, governments can be expected to revoke their legal privileges and to repress them militarily as in the past. While suited to legal wrangling with particular capitalist interests, the union form of organization will probably prove to be too slow, conservative, and inflexible to deal effectively with the rapid changes of crisis situations; resistant to extensions of struggles beyond boundaries which can be defended under capitalism, and generally unsuited for launching attacks on capital in general. As this depression develops, let us no longer waste our energies beating the dead horse of revolutionary unionism, but organize ourselves directly to meet the demands of the hopefully revolutionary situation.

- E. Jones

[scanned May 2012 by Insane Dialectical Posse]



1. Since a critical review of specific works on this period is beyond the scope of this article, those interested in historiography and the spectrum of opinion on the CIO are referred to the following sources: for a clear exposition of the principles of a scientific approach to history in general, see Edward H. Carr, *What Is History?* (N.Y.: Vintage,

1961); for a libertarian socialist critique of various schools of thought on American labor history, see Jeremy Brecher, "A Challenge to Historians," *Strike!* (San Francisco: Straight Arrow, 1972) pp. 314-9; for a criticism of the social-democratic and New Left (Ronald Radosh in particular) historians from a liberal "consensus"

perspective, whose view of the CIO (as an extension of business unionism finally institutionalized as a result of the war) resembles mine in fact but not in interpretation, see David Brody, "Labor and the Great Depression: The Interpretative Prospects,"

*Labor History* 13: 231-244, 1972; for an extensive annotated bibliography and a comprehensive narrative account by a liberal, see Irving Bernstein, *The Turbulent Years: A History of the American Worker, 1933-1941* (Boston: Houghton Mifflin, 1970); for an account sympathetic to the Communist Party, see Richard O. Boyer and Herbert M. Morais, *Labor's Untold Story* (N.Y.: UE, 1955); for Trotskyist interpretations, see Benjamin Stolberg, *The Story of the CIO* (N.Y.: Viking, 1938) and Art Preis, *Labor's Giant Step: Twenty Years of the CIO* (N.Y.: Pathfinder, 1964); for a collection ~essays from the New Left perspective of Staughton Lynd, Jim Green, et al., see *Radical America* 6(6), 1972, on the 1930's, and *Radical America* 9(4/5), 1975: *American Labor in the 1940's*.



2. U.S. Bureau of the Census. *Historical Statistics of the United States, Colonial Times to 1970* [hereafter cited as HSUS] (Washington, D.C.: U.S. Government Printing Office, 1975), Series D 943, 949, and 951.



3. HSUS, Series D 86.



4. Matthew Josephson, *Sidney Hillman, Statesman of American Labor* (Garden City, N.Y.: Doubleday, 1952), pp. 340-358.



5. Gabriel Kolko, *Main Currents in Modern American History* (N.Y.: Harper and Row, 1976), p. 113.



6. For further explanation of the similarity in services provided to capitalists by unions, governments, and the rackets, see Louis Adamic, *Dynamite: The Story of Class Violence in America* (N.Y.: Harper and Row, 1931), pp. 325-373;

“Racketeering: A Phase of Class Conflict,” *International Council Correspondence* 3(7): 30-45, 1937 (reprinted in *New Essays*, v. 3, Westport, Conn.: Greenwood, 1970); and John Hutchinson, *The Imperfect Union: A History of Corruption in American Trade Unions* (N.Y.: Dutton, 1972).



7. Bernstein, *op. cit.*, pp. 19-21.



8. Karl Marx, *Capital*, v. 3 (Moscow: Progress Publishers, 1966 translation of 1894

German edition), p. 253.



9. For a critique of the Keynesian theory, see Paul Mattick, *Marx and Keynes* (Boston: Porter Sargent, 1969).



10. Millis and Montgomery, *Economic of Labor*, v. 3: *Organized Labor* (N.Y.: McGraw, 1945), v. 4, p. 194n; noted in Josephson, *op. cit.*, p. 382n.



11. Gerard Swope quoted in Bernstein, *op. cit.* , p. 603.



12. Bernstein, *op. cit.* , p. 103.



13. Fred Thompson, letter to Frank Marquart, in Marquart, *An Auto Worker's Journal* (University Park, Pa.: Pennsylvania State University Press, 1975), pp. 60-61.



14. For an excellent account of the events in Minneapolis, see Charles R. Walker, *American City, A Rank-and-File History* (N.Y.: Farrar and Rhinehart, 1937).



15. Brecher, *op. cit.* , pp. 175-6.



16. Bernstein, *op. cit.* , p. 313.



17. *Ibid.* pp. 287-8.



18. >Los Angeles Times cited in Brecher, *op. cit.*, p. 156.



19. Bernstein, *op. cit.* , pp. 288-9.



20. Hugh D. Graham and Ted R. Gurr, *The History of Violence in America, A Report to the National Commission on the Causes and Prevention of Violence* (N.Y.: Bantam, 1969), p. 387.



21. Murray Edelman, “New Deal Sensitivity to Labor Interests,” in *Labor and the New Deal*, ed. Edwin Young and Milton Derber (Madison, Wis.: University of Wisconsin Press, 1957), p. 181.



22. Daniel Tobin quoted in Edward Levinson, *Labor on the March*, (N.Y.: Harper, 1938), pp. 13-14.



23. For further reading on the early labor movement, see Herbert Harris, *American Labor* (New Haven, Conn.: Yale University Press, 1939) and Melvyn Dubofsky, *We Shall Be All: A History of the IWW* (N.Y.: Quadrangle, 1974).



24. John L. Lewis quoted in Louis Adamic, *My America, 1928-1938* (N.Y.: Harper, 1938), p. 401.



25. John L. Lewis quoted in Bernstein, *op. cit.*, p. 386.



26. Saul Alinsky, *John L. Lewis: An Unauthorized Biography* (N.Y.: Putnam, 1949), p. 72.



27. Adamic, *My America*, p. 413.



28. Joel Seidman, *Sit-Down* (N.Y.: League for Industrial Democracy, 1937), p. 10.



29. Brecher, *op. cit.* , p. 193 for union membership figures HSUS, Series 0507 & 623

for estimate of the size of the semi-skilled workforce in automaking.



30. Sidney Fine, *Sit-Down: The General Motors Strike of 1936-1937* (Ann Arbor, Mich.: University of Michigan Press, 1969), p. 210.



31. *Ibid.*, p. 339.



32. FDR quoted in Frances Perkins, *The Roosevelt I Knew* (N.Y.: Viking, 1946) p.

322.



33. Fine, *op. cit.*, p. 305.



34. Bernstein, *op. cit.*, p. 468.



35. *Ibid.* , p. 184



36. "In Our Own Experience: An Informal Sampling of Employer Opinion on



Industrial Warfare,” *Fortune* 16(5): 180, November 1937.



37. *Ibid.*, p. 184.



38. Lee Pressman quoted in Saul Alinsky, *op. cit.*, p. 149.



39. Brecher, *op. cit.* , p. 204.



40. Homer Martin quoted in Seidman, *op. cit.* , p. 39.



41. *Ibid.*, pp. 9-10.



42. Professor Witte quoted in “Much Ado about Nothing: The Future of the CIO,”

*International Council Correspondence* 3(7/8): 8, 1937.



43. David Brody, “The Emergence of Mass Production Unionism,” in *Change and Continuity in Twentieth Century America*, ed. John Braeman et al. (Columbus, Ohio: Ohio State University Press; 1964), p. 257.



44. Robert R. R. Brooks, *As Steel Goes* (New Haven, Conn.: Yale University Press, 1940), p. 147.



45. *Ibid.* , p. 157.



46. Brecher, *op. cit.*, pp. 204-5.



47. HSUS, Series F178, F181, and D86.



48. Brody, *op. cit.* , pp. 258-9.



49. Bernstein, *op. cit.* , pp. 730-1.



50. Brecher, *op. cit.* , pp. 229-30.



51. HSUS, Series D 949 and 951.



52. Figure for total workforce from: Jerry Flint, “Reed Larson vs. the Union Shop,”

*New York Times* 4 December 1977, p. F5. 1974 figure from: U.S. Bureau of the Census, *Statistical Abstract of the United States: 1977* (Washington D.C.: U.S.

Government Printing Office, 1977), Chart no. 679, p. 418.